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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,851	01/14/2000	Rustin W. Allred	TI-29746	6201
23494	7590	07/12/2005		EXAMINER
				CHANG, EDITH M
			ART UNIT	PAPER NUMBER
				2637

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/481,851	ALLRED, RUSTIN W.	
	Examiner	Art Unit	
	Edith M. Chang	2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 3-7,9-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 3 and 4 is/are allowed.
- 6) Claim(s) 17-22 is/are rejected.
- 7) Claim(s) 5-7,9-16 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 15, 2005 has been entered.

Claim Objections

2. Claims 5-7 and 9-22 are objected to because of the following informalities:

Claim 5, line 5: "a desired" should be changed to "the desired".

Claims 6 & 7, line 1: "The graphametric" should be changed to "The digital graphametric".

Claim 7, line 8: "filter." should be changed to "filter, W is a user-selected bandwidth".

Claims 9 & 11, lines 5 & 7, "a desired" should be changed to "the desired".

Claim 10, line 6: "filter multiplier" should be changed to "filter variable multiplier parameter".

Claim 13, line 11: "the desired" should be changed to "a desired"; line 16: "allpass filter multiplier" is suggested changing to "desired first multiplier parameter for the allpass filter""

Claim 14, line 7: "a desired" and "a predetermined" should be changed to "the desired" and "the predetermined" respectively.

Claim 16, line 7: "a desired" should be changed to "the desired".

Claim 17, line 6: "the region" should be changed to "a region".

Claim 19, line 2: "a region" should be changed to "the region"; line 6: "a predetermined" should be changed to "the predetermined"; and line 7: "a desired" should be changed to "the desired".

Claim 20, line 2: "second" should be changed to "second allpass filter".

Claim 21, line 4: "the allpass filter via the third" is suggested changing to "an allpass filter via the third allpass filter"; and line 5: "a predetermined" should be changed to "the predetermined".

Claims 12, 15, 18 and 22 are dependent on the objected claims 11, 13 and 17. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 17-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17, line 9: "the first filter multiplier parameter" lacks antecedent basis. Does

it mean the first allpass filter multiplier parameter recited in the line 6 of claim 17 or an other first filter multiplier parameter.

Claim 18, lines 2-3: "the first multiplier parameter" lacks antecedent basis.

Claim 19, line 4: "the second filter multiplier parameter" lacks antecedent basis.

Does it mean the second allpass filter multiplier parameter recited in the line 4 of claim 19 or an other first filter multiplier parameter.

Claim 20, line 2: "the allpass filter" does not clearly indicate that which "the allpass filter" is: the one recited in line 9 claim 17 or the one recited in line 4 claim 19; lines 2-3: "the second multiplier parameter" lacks antecedent basis.

Claim 22, lines 2-3: "the multiplier parameters" lacks antecedent basis, wherein in claim 17, line 6 recites a first allpass filter multiplier parameter and in claim 21 line 2 recites a third allpass filter multiplier parameter.

Claim 21 dependents on the rejected claim 17.

Allowable Subject Matter

5. Claims 3 and 4 are allowed.
6. Claims 5-7 and 9-16 would be allowable if rewritten to overcome the objection(s) set forth in this Office action.
7. Claims 17-22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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8. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not teach or suggest a system as a whole, a graphametric equalizer comprising a translation algorithmic configured to generate a reciprocal estimate $1/x$ (or $1/k$) for the a desired peak gain or the user-selected gain using the function cited in the claims, or an algorithmic software to generate an allpass filter variable multiplier parameter by translating the user-selected gain and user-selected bandwidth in a multiplier parameter for the allpass filter and the multiplier approximation function β in a specified region as cited in the claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M. Chang whose telephone number is 571-272-3041. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay K. Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Edith Chang
June 30, 2005

Young T. Tse
YOUNG T. TSE
PRIMARY EXAMINER